

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

MICHAEL EUGENE HICKS]	
Plaintiff,]	
]	
v.]	No. 3:13-1292
]	Judge Trauger
JOHN FUSON, et al.]	
Defendants.]	

M E M O R A N D U M

The plaintiff, proceeding *pro se*, is an inmate at the Montgomery County Jail in Clarksville, Tennessee. He brings this action pursuant to 42 U.S.C. § 1983 against John Fuson, Sheriff of Montgomery County; and his Chief Deputy, Douglas Tackett; seeking injunctive relief.

The plaintiff complains about conditions of his confinement. More specifically, he claims that his rights have been violated because there are no tables or chairs in the cells at the Jail.

To state a claim for § 1983 relief, the plaintiff must plead and prove that the defendants, while acting under color of state law, deprived him of some right or privilege secured by the Constitution or laws of the United States. Parratt v. Taylor, 451 U.S. 527, 535 (1981).

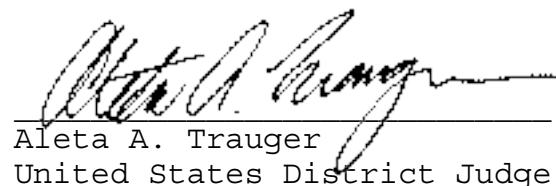
The Eighth Amendment imposes upon a county an obligation to provide its prisoners with reasonably adequate food, clothing,

shelter, sanitation, recreation and medical care. Grubbs v. Bradley, 552 F.Supp. 1052, 1119-1124 (M.D. Tenn. 1982). This obligation, however, does not require the county to provide its prisoners with a comfortable jail. Rhodes v. Chapman, 452 U.S. 337, 349 (1981).

At best, the plaintiff is alleging that the absence of tables and chairs in the cells makes life uncomfortable for the inmates at the Montgomery County Jail. The plaintiff has not been denied the necessities of life. Consequently, the plaintiff has failed to state a claim upon which § 1983 relief can be granted.

When a prisoner proceeding in forma pauperis has failed to state a claim for relief, the Court is obliged to dismiss his complaint *sua sponte*. 28 U.S.C. § 1915(e)(2).

An appropriate order will be entered.



Aleta A. Trauger
United States District Judge